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paper on this subject is a treatment of the one time celebrated case known as "Bedingfield's Case,"² in which the doctrine of *Res Gesta* (as Professor Thayer insists it should be called) is discussed with clear insight and accuracy.

A paper upon a subject both legal and political in nature is entitled "Our New Possessions." This was written in 1899, before the national opinion and purpose concerning the lately acquired insular possessions had even begun to crystallize. With remarkable accuracy the author anticipated the views later announced by the Supreme Court, as to the power of the United States to acquire the islands, and the legal and constitutional power to govern them as colonies, and that those islands would not necessarily become part of the "territory of the United States." It is refreshing to note the personal detachment and lack of prejudice, and at the same time the firm national feeling with which this quiet scholar approaches and discusses his problem, an attitude quite different from that with which some other persons discussed the subject then and later. While admitting that the acquisition of the islands may in some respects be unfortunate, Professor Thayer maintains that events had so shaped themselves that at least in 1898 it had become inevitable that we should assume control. With reasoning at once close and accurate and yet wholly devoid of fine spun subtleties, he defends our legal right to take and hold these possessions, and then entirely without "buncombe" he expresses the hope and his confidence that we shall meet the heavy responsibilities which we were thus compelled to assume.

Space is lacking to discuss all of these papers, even thus summarily. Others of especial interest are those on "Federal and State Decisions," "Bracton's Note Book," "The Teaching of English Law at Universities," and a brief but extremely suggestive review of Dicey's Law of the English Constitution. They are all characterized by the clear thinking, painstaking care and supreme scholarship which made Professor Thayer one of the ablest legal thinkers and scholars of his day.

H. M. B.

TRIAL EVIDENCE. A SYNOPSIS OF THE LAW OF EVIDENCE GENERALLY APPLICABLE TO TRIALS. By Richard Lea Kennedy, LL.B., of the St. Paul Bar. St. Paul: The Keefe-Davidson Co., 1906, pp. vii, 49.

This is one of the books which, having a limited field of usefulness which all will recognize, yet compels the question of whether there is a real need for a book of its type. There are a number of books already in this field of a similar character and serving the same general end. It will find strong competition in such books as Reynolds's Theory of the Law of Evidence and Stephens's Digest of the Law of Evidence in the presentation of the fundamentals of this branch of the law. An examination indicates that there is in the main accurate statement of the rules of evidence, with very good analysis and arrangement of topics. The author makes no claim that his presentation is exhaustive, indeed, he suggests that his book cannot furnish that fullness of knowledge the student requires.

² *Regina v. Bedingfield*, 14 Cox. C. C. 341.

The plan adopted excludes citation of cases, so that the original sources of the law are available only through access to some of the treatises on the Law of Evidence cited where the citation to cases may be found.

A running footnote is found at the bottom of most of the pages in these words: "For current cases supplementing all citations in this section see — Current Law, p. —, and subsequent volumes."

It does not impair the intrinsic value of this work that it may serve to call attention to so good a publication as Current Law. V. H. L.